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the view of Kent that there was no danger of putting too many restrictions upon legislation, he showed himself less wise in forecast than the great Chancellor. The Constitutions of our newer States—the last not least—are witnesses against him.

A modern writer would be less ready than was Professor Sharswood to fortify his positions by appeals to the Bible. No one is left in doubt (see pp. 13, 114) that he implicitly respects its authority and is an earnest believer in the Christian faith. His classes, we may be certain, suffered no harm from thus coming in close contact with one to whom religion was a vital thing.

The author well understood the value of incident and anecdote to light up a discussion, liable in unskilful hands to become a wearisome statement of moral commonplaces. The conduct of Mr. Phillips in the Courvoiser trial (p. 103); the blunder of Hardinge in declaring the American Colonies represented in Parliament by the members from Kent, because the tenure of those holding lands under the Colonial charters was as of the manor of Greenwich (p. 134); and Brougham's mistatement of an advocate's duty in the case of Queen Caroline (p. 86); are brought to the reader's attention in a manner that compels their recollection.

The propriety of contracting with clients for contingent fees or a percentage of the amount received has never been treated more lucidly, in respect to its natural effect on the lawyer's conduct of the case (pp. 153-164).

That there should be frequent references to Pennsylvania decisions and Pennsylvania statutes, and the opinions of leading members of the profession in Pennsylvania was to be expected in lectures by a Pennsylvania lawyer to students who were mostly his fellow citizens and preparing for its bar. The illustrations which they furnish, however, are always apt; and every man speaks best of what he knows best.

General Thomas H. Hubbard, of New York (who, a few years since, founded a lectureship on Legal Ethics in the Albany Law School), has met the expense of sending a copy of this treatise to each member of the American Bar Association. It will be money well laid out; for no lawyer can read it without being inspired anew to do what is in him to maintain, against all temptations, the honor of his profession.

THE SEIGNIORIAL SYSTEM IN CANADA. BY WILLIAM BENNETT MUNRO, Ph.D. New York: Longmans, Green & Co. 1907. pp. xiii, 296.

Professor Munro has here presented a most interesting and valuable history of a legal institution in such attractive form as to appeal to a much wider public than the small group of scholars whose specialty is the history of legal institutions. The book is both scholarly and entertaining and will without doubt be regarded as the authoritative work upon the history of this belated feudal institution after it had been transplanted to the New World. After a brief sketch of the feudal system as it had existed in France, the 'European Background,' Professor Munro takes up the consideration of the early Canadian grants by which this feudal form of land tenure was introduced in the French colony. The grants were made at first by the trading companies for the sake of trade and not of settlement;

the slowness with which the settlement of New France proceeded very early attracted the attention of the home government and the grants were thenceforth made by the Crown. In fact, one derives from the book a very strong impression of the kindly paternalism of the Grand Monarch and the constant effort made to extend his settlements and care for the welfare of the settlers. This attitude of France toward her colonies is well known, but Professor Munro makes it particularly clear in his discussion of the banal rights of the seignior; he shows how the chief of these rights, that of the banal mill, was, at least in the early days, a burden rather than a source of profit to the seignior; neither the banal rights, the *corvées* nor the dues in money or kind are regarded by the author as particularly oppressive, and the position of the *habitant* is shown to have been far superior to that of the peasant in France.

The relation of the Church to the seignior and to the system is discussed in one of the very interesting chapters; the relations of Church and State in Canada were the reverse of those usually to be found; there it was support of the State by the Church rather than Church by State and many seigniories were granted to religious bodies. It is remarkable, however, that the "clerical officials and orders manifested no desire to exercise judicial authority."

The later history of the system under British rule until its final disappearance in 1854 is not entirely to the credit of the conquerors. Its bad features received an increased emphasis from the strictly commercial attitude taken by the English seigniors who supplanted the French in large part after 1763.

A Bibliographical Appendix, which is really a critical essay on the sources; an Alphabetical List of Printed Materials and an Index are valuable to the student and add materially to the worth of the book.

#### REVIEWS TO FOLLOW:

MARKETABLE TITLE TO REAL ESTATE, BEING ALSO A TREATISE ON THE RIGHTS AND REMEDIES OF VENDORS AND PURCHASERS OF DEFECTIVE TITLES (AS BETWEEN THEMSELVES). Second Edition. By CHAPMAN W. MAUPIN. New York: Baker, Voorhis & Co. 1907. pp. lxxvi, 910.

LAW: ITS ORIGIN, GROWTH AND FUNCTION, Being a Course of Lectures Prepared for Delivery before the Law School of Harvard University. By JAMES COOLIDGE CARTER. New York and London: G. P. Putnam's Sons. 1907. pp. vii, 355.

HANDBOOK OF THE LAW OF SURETYSHIP AND GUARANTY. By FRANK HALL CHILDS. St. Paul, Minn.: West Publishing Co. 1907. pp. x, 572.

HANDBOOK OF THE LAW OF EVIDENCE. Second Edition. By JOHN JAY MCKELVEY. St. Paul, Minn.: West Publishing Co. 1907. pp. xvii, 540.

ALGER & SLATER ON THE NEW YORK EMPLOYERS' LIABILITY ACT. Second Edition. Albany, N. Y.: Matthew Bender & Co. 1907. pp. xlv, 291.

VOLUME 2. INDEX-DIGEST OF NEW YORK COURT OF APPEALS DECISIONS. 1902-1907. By COLIN P. CAMPBELL. Albany, N. Y.: Matthew Bender & Co. 1907. pp. 282.

A TRUSTEE'S HANDBOOK. By AUGUSTUS PEABODY LORING. Third Edition. Boston: Little, Brown & Co. 1907. pp. xxxvi, 224.